

House Bill 1362

By: Representatives Buckner of the 76th, Reece of the 11th, Sims of the 169th, and Greene of the 149th

A BILL TO BE ENTITLED

AN ACT

To amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions, so as to increase the state-wide homestead exemption for disabled veterans and the unremarried surviving spouse or minor children of disabled veterans to a full-value homestead exemption; to provide for applicability; to provide for a referendum; to provide for automatic repeal under certain circumstances; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions, is amended by striking subsection (b) of Code Section 48-5-48, relating to the state-wide homestead exemption for disabled veterans, and inserting in its place a new subsection (b) to read as follows:

"(b) Any disabled veteran as defined in any paragraph of subsection (a) of this Code section who is a citizen and resident of Georgia is granted an exemption ~~of the greater of \$32,500.00 or the maximum amount which may be granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as amended,~~ on his or her homestead which such veteran owns and actually occupies as a residence and homestead, for the full value of the homestead, such exemption being from all ad valorem taxation for state, county, municipal, and school purposes. ~~As of January 1, 2004, the maximum amount which may be granted to a disabled veteran under the above-stated federal law is \$50,000.00. The value of all property in excess of the exempted amount cited above shall remain subject to taxation.~~ The unremarried surviving spouse or minor children of any such disabled veteran as defined in this Code section shall also be entitled to an exemption ~~of the greater of \$32,500.00 or the maximum amount which may be granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as amended, on the~~ on

1 such homestead, for the full value of the homestead, so long as the unremarried surviving
2 spouse or minor children continue actually to occupy the home as a residence and
3 homestead, such exemption being from all ad valorem taxation for state, county, municipal,
4 and school purposes. ~~As of January 1, 2004, the maximum amount which may be granted~~
5 ~~to the unremarried surviving spouse or minor children of any such disabled veteran under~~
6 ~~the above-stated federal law is \$50,000.00. The value of all property in excess of such~~
7 ~~exemption granted to such unremarried surviving spouse or minor children shall remain~~
8 ~~subject to taxation."~~

9 SECTION 2.

10 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the Secretary of
11 State shall call and conduct a referendum as provided in this section for the purpose of
12 submitting this Act to the electors of the State of Georgia for approval or rejection. The
13 Secretary of State shall conduct that election on the date of the November, 2006, state-wide
14 general election. The Secretary of State shall issue the call and conduct that election as
15 provided by general law. The Secretary of State shall cause the date and purpose of the
16 election to be published in the official organ of each county in the state once a week for two
17 weeks immediately preceding the date of the referendum. The ballot shall have written
18 thereon the following:

19 "() YES Shall the Act be approved which increases the state-wide homestead
20 exemption for a disabled veteran and the unremarried surviving spouse and
21 () NO children of a disabled veteran to a full value homestead exemption?"

22 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
23 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
24 such question are for approval of the Act, then Section 1 of this Act shall become effective
25 on January 1, 2007, and shall apply to all tax years beginning on or after that date. If the Act
26 is not so approved or if the election is not conducted as provided in this section, Section 1
27 of this Act shall not become effective and this Act shall be automatically repealed on the first
28 day of January immediately following that election date.

29 SECTION 3.

30 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
31 its approval by the Governor or upon its becoming law without such approval.

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